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Applicants: Shuguang Zhang, Alexander Rich, Lin Yan and George Whitesides

Serial No.: 10/071,500 Group Art Unit: 1627

Filed: February 8, 2002 Examiner: Not Available

Confirmation No.: 4636

For: SELF-ASSEMBLING PEPTIDE SURFACES FOR CELL PATTERNING AND INTERACTIONS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Box Sequence, P.O. Box 2327, Arlington, VA 22202

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Date Date SANDRA BRIGHAM

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STATEMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

On December 11, 2002, Applicants filed a continuation application of the subject application. This continuation application presented new Claims 1-7 and has now been assigned Serial No. 10/317,838. Along with the '838 Application, Applicants filed a Paper entitled "Statement In Compliance With 37 C.F.R. § 1.607(c)", which stated that the '838 Application was being filed solely for the purpose of clearly avoiding any possibility that the U.S. Patent Office could reject new Claims 1-7 under 35 U.S. § 135(b) in view of Claims 1-4 of U.S. Patent No. 6,329,209. (See *Ex Parte* McGrew 41 U.S.P.Q.2d 2004 (Bd. Pat. App. & Inf. 1995) and *In Re McGrew* 120. F.3d 1236 (Fed. Cir. 1997)). The Rule 607(c) Paper also asserted that in no event should the statements made therein be construed as an admission that new Claims 1-7 are directed to the same invention as the '209 Patent. A copy of U.S. Patent No. 6,329,209 was also filed.

After studying the claims of the subject application, Applicants' Attorney believes that no statement under Rule 607(c) is required in the present case. However, in an abundance of caution, Applicants are now bringing U.S. Patent No. 6,329,209 to the attention of the Examiner. Applicants believe that they hereby comply with their duty of disclosure for the subject application. In no event should the statements made herein be construed as an admission that Claims 1-20 of the subject application are directed to the same invention as the '209 Patent. A copy of U.S. Patent No. 6,329,209 is enclosed herewith.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By SGD

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